

What can I do if my employer treats me unfairly because of religion or belief?

You are protected by law if someone you work for treats you worse than other workers because of your religion or belief. If you are treated worse than other workers because of your religion or belief, this is called **discrimination**.

What is discrimination at work

Discrimination at work can be either **direct** or **indirect**. Direct discrimination is where, for example, an employer refuses to employ you, or dismisses you because of your religion. It is also direct discrimination if an employer refuses to employ you or dismisses you because of the religion of someone you're associated with, such as your partner or your son.

Indirect discrimination is where someone you work for has rules, policies or practices which, though not aimed at you personally, put you at a disadvantage because of your religion or belief. An example would be a rule requiring everyone to dress in a particular way meaning you can't wear an item of clothing you regard as part of your faith. Sometimes, this type of discrimination is allowed, if there is a justifiable reason for it. For example, it might not be against the law if your employers require you to dress in a particular way for health and safety reasons, even though it might be against your religion.

Discrimination at work because of your religion or belief could include:

- advertising for job applicants of one religion only
- requiring you to dress in a certain way, for example, requiring all women to wear a short skirt. This would not be acceptable for women of several different religions
- making you work at times that are against your religion
- victimisation – see below
- bullying at work because of your religion. This is also known as **harassment** – see below.

What is meant by religion or belief

You are protected from discrimination at work because of your religion or belief if you:

- belong to an organised religion such as Christianity, Judaism or Islam
- have a profound belief which affects your way of life or view of the world, such as humanism
- take part in collective worship
- belong to a smaller religion or sect, such as Scientology or Rastafarianism
- have no religion, for example, if you are an atheist.

The law against discrimination because of religion or belief does not cover purely political beliefs such as support for a particular political party.

You are protected if someone discriminates against you because they **think** you are a certain religion, when you are not. For example, it's against the law for someone to discriminate against you for wearing a headscarf because they think you are a Muslim, even if you are not actually Muslim.

Bullying or harassment at work because of your religion or belief

It is against the law for someone to harass you at work, because of your religion or belief. The person harassing you may be your employer, or it may be a colleague, Someone is harassing you if you find their behaviour towards you offensive, frightening, degrading, humiliating or in any way distressing. It may be intentional or unintentional.

It is also against the law for someone to harass you at work because of your religion or belief, even if they are mistaken about what it is. For example, you are attacked at your workplace by someone who has assumed, wrongly, that you are a Muslim because of your appearance. You will not have to say what your religion actually is in order to do something about this.

Victimisation at work because of your religion or belief

Victimisation is where you're treated worse than someone else because you've complained or taken legal action about religious discrimination. It is also victimisation if you are treated unfairly because you've supported someone else taking action, for example, if you act as a witness in someone else's discrimination case.

Examples of victimisation at work could include:

- being labelled a trouble-maker
- being denied promotion or training opportunities
- being ignored by your work colleagues
- being given a poor reference.

If your employer victimises you because you have been involved in a complaint about unfair treatment or bullying at your workplace, you can make a claim for **unlawful victimisation** to an **employment tribunal**. You should raise a **written grievance** with your employer before you do this. If you are thinking about making a claim to an employment tribunal, talk to an experienced adviser straight away.

What can you do about discrimination or harassment at work?

If you are experiencing discrimination at work, take action as quickly as possible:

- **tell the person discriminating against you or harassing you to stop.** Only do this if you feel it is safe. You may find it helpful to have a work colleague or trade union representative with you when you do this
- **tell your manager** that someone is discriminating against you or harassing you because of your religion or belief. Put it in writing and keep a copy. Your employer is required by law to try and prevent it. If the person involved is your manager, tell someone higher up in the organisation
- talk to your **personnel department** or **trade union**. They might be able to help you stop the discrimination or harassment
- **get advice.** A **Citizens Advice Bureau** may be able to help or refer you to a specialist. Details of how to find your nearest CAB are at the end of this fact sheet.
- **collect evidence.** This could include keeping a diary or record of the time, date and location of any incidents, what was said or done, if there were any witnesses and evidence of any similar incidents against colleagues. Record the names and jobs of those you think are treated better than you, or of the rule or policy that puts you at a disadvantage, and explain why
- the law allows you to ask your employer to provide information through a **questionnaire** procedure. This can help you get information to support your case. Get advice early on as there are strict time limits in this procedure.

Taking further action

Raising a grievance

If you've tried to stop the discrimination or harassment without success, you should **raise a written grievance**. All workplaces should have a grievance procedure. Your trade union or an adviser can help. Although the law can help protect you against victimisation, think carefully about taking out a grievance or making a complaint as this could put your job in danger or make your life at work even more uncomfortable.

Taking your case to an employment tribunal

If you have not been able to solve your problem through raising a grievance, you may have to make a claim to an **employment tribunal**. You should have raised a written grievance with your employer before you do this.

Employment tribunals resolve disputes between employers and employees over employment rights, including discrimination at work. You will need to prove your case – that's why you need to collect the information and evidence suggested earlier.

If you are considering making a claim to an employment tribunal, get advice straight away. You must normally make a claim within three months of the date when the discrimination or harassment took place.

Going to court

If you're being harassed because of your religion or belief, there may be legal action you can take besides going to an employment tribunal. You will need to get advice about this.

Other types of discrimination

As well as discrimination because of your religion, you could be treated unfairly for other reasons, for example, because of your race, ethnic origin, nationality, because you're a woman or have a disability.

If you think you've been treated unfairly for more than one reason, make sure you raise all the issues if you make a complaint.

Further help

Citizens Advice Bureaux give free, confidential, impartial and independent advice to help you solve problems. To find your nearest CAB, including those that give advice by e-mail, click on [nearest CAB](#). You can also look under C in the phone book.

ACAS

ACAS has produced "A guide on Religion or Belief and the Workplace". See www.acas.org.uk/publications, or phone the ACAS publications order line: 0870 242 9090.

ACAS also operates a helpline providing information and advice about employment issues: 0845 747 4747 (textphone 0845 606 1600).

The Equality and Human Rights Commission

If you have been treated unfairly at work because of your religion or belief, the Equality and Human Rights Commission may be able to help you. Phone their helpline on 0845 604 6610 (England), 0845 604 8810 (Wales) or 0845 604 5510 (Scotland). Their website is: www.equalityhumanrights.com.

Is that discrimination?

Is that discrimination? is a website produced by Advicenow. It has information on how to tackle discrimination in the workplace. It also features a problem page and case studies about discrimination. Go to www.isthatdiscrimination.org.uk.

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